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<b>Date:</b>	August 25, 2008	<b>Total Pages:</b> 13 including cover sheet
<b>To:</b>	U.S. Patent and Trademark Office	
<b>Attn.:</b>	Examiner R. HOLMES	
<b>Fax No.:</b>	(571) 273-8300	
<b>From:</b>	Thomas E. Kocovsky, Jr.	
<b>Re:</b>	US; Our Ref.: NL020256US / PKRX 2 00034	

### COMMENTS:

13 pp:        1 pp Fax Cover Sheet  
              2 pp Amendment Transmittal Letter(s)(x2)  
              10 pp Amendment D & Request for Reconsideration

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## AMENDMENT TRANSMITTAL LETTER

## EXPEDITED PROCEDURE

Attorney Docket No. NL020256US / PKRX 2 00034

Serial No.: 10/509,239	Filed: September 24, 2004	Examiner: R. HOLMES
Group Art Unit: 3762 Confirmation: 1780	Invention: <b>MONITORING SYSTEM COMPRISING ELECTRODES WITH PROJECTIONS</b>	

To the Commissioner For Patents:

Transmitted herewith is an **AMENDMENT D & REQUEST FOR RECONSIDERATION** in the above-identified application. The fees have been calculated as shown below.

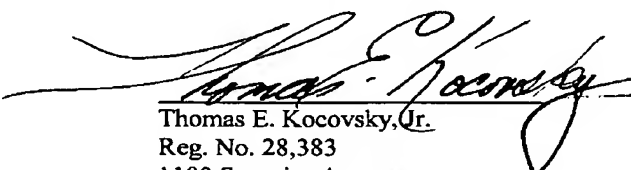
CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	20	Minus	20	-	\$ 50	\$ 0.00
Indep. Claims	3	Minus	3	-	\$210	\$ 0.00

- ☒ No additional claims fee is due.
- ☐ An additional fee in the amount of \$ \_\_\_\_\_ is enclosed for \_\_\_\_\_. Payment is authorized to be charged to a Credit Card. The applicants enclose an appropriate form PTO-2038 for this purpose.
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308. A duplicate copy of this sheet is enclosed.
- ☒ Applicants hereby request any additional extensions of time that may be necessary and authorize the extension of time fees to be charged to Deposit Account No. 06-0308.

Respectfully submitted,

FAY SHARPE LLP

Date: 25 Aug 2008

  
Thomas E. Kocovsky, Jr.  
Reg. No. 28,383  
1100 Superior Avenue  
Seventh Floor  
Cleveland, Ohio 44114-2579  
(216) 861-5582

**CERTIFICATE OF FAXING**

I hereby certify that these **AMENDMENT TRANSMITTAL LETTER (x2); AMENDMENT D & REQUEST FOR RECONSIDERATION** in connection with U.S. Patent Application Serial No. 10/509,239 are being transmitted to facsimile number (571) 273-8300 on this 25 day of August, 2008.

By: Hilary McNulty

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**AMENDMENT TRANSMITTAL LETTER****EXPEDITED PROCEDURE**Attorney Docket No. NL020256US / PKRX 2 00034

Serial No.: 10/509,239	Filed: September 24, 2004	Examiner: R. HOLMES
Group Art Unit: 3762 Confirmation: 1780	Invention: <b>MONITORING SYSTEM COMPRISING ELECTRODES WITH PROJECTIONS</b>	

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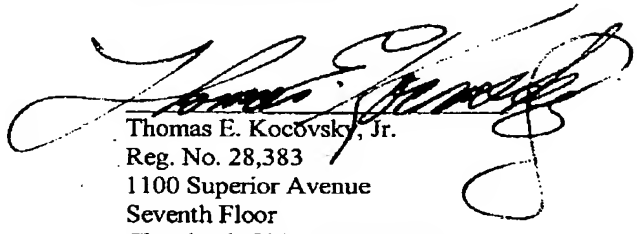
CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	20	Minus	20	-	\$ 50	\$ 0.00
Indep. Claims	3	Minus	3	-	\$210	\$ 0.00

- ☒ No additional claims fee is due.
- ☐ An additional fee in the amount of \$ \_\_\_\_\_ is enclosed for \_\_\_\_\_. Payment is authorized to be charged to a Credit Card. The applicants enclose an appropriate form PTO-2038 for this purpose.
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Respectfully submitted,

FAY SHARPE LLP

Date: 25 Aug 2008

  
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By: Melany McSherry

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	Examiner: R. HOLMES
J. VAN HERK, et al.	)	
	)	Art Unit: 3762
Serial No.: 10/509,239	)	
	)	Confirmation: 1780
Filed: September 24, 2004	)	
	)	
For: MONITORING SYSTEM	)	
COMPRISING	)	
ELECTRODES WITH	)	
PROJECTIONS	)	
	)	
Date of Last Office Action:	)	
June 24, 2008	)	
	)	
Attorney Docket No.:	)	Cleveland, OH 44114
NL020256US / PKRX 2 00034	)	August 25, 2008

**AMENDMENT D**  
**& REQUEST FOR RECONSIDERATION**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the premature Final Rejection of  
June 24, 2008.

Amendments to the claims are reflected in the listing of claims which  
begins on page 2.

Remarks begin on page 6.

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Certificate of Faxing

I certify that this **AMENDMENT D & REQUEST FOR RECONSIDERATION** in connection with Ser. No. 10/509,239 is being  
☒ transmitted to facsimile number (571) 273-8300 under 37 C.F.R. § 1.8 on the date indicated below.

Date <u>August 25, 2008</u>
--------------------------------

Signature <u>Hilary M. McNulty</u>
Printed Name Hilary M. McNULTY

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